

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 09-58926

KENNETH E B SCALES, *pro se*,

Chapter 7

Debtor.

Judge Thomas J. Tucker

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**ORDER DENYING APPLICATION TO PAY FILING FEE IN INSTALLMENTS  
(DOCKET # 20) AND DISMISSING CASE**

On October 7, 2009, the Court entered an Order Conditionally Dissolving Show Cause Order (Regarding Filing Fee) (Docket # 19, the “October 7 Order”), which provided in relevant part:

IT IS ORDERED that the Court’s September 18, 2009 Show-Cause Order (Docket # 17) is dissolved, on the following condition. Debtor must pay the \$299.00 owing for the filing fee for this case no later than **October 21, 2009**.

IT IS FURTHER ORDERED that if Debtor fails to pay \$299.00 on or before October 21, 2009, the Court will dismiss this case without further notice or hearing.

On October 20, 2009, Debtor filed an “Application to Pay Filing Fees in Installments” (Docket # 20), which proposes to pay the filing fee later than the October 21, 2009 deadline set by the October 7 Order. The Court construes the application as an untimely motion for reconsideration of the Court’s October 7 Order. “[A] motion for reconsideration that merely presents the same issues ruled upon by the court, either expressly or by reasonable implication, will not be granted.” *See* Local Rule 9024-1(a)(3). The Court has already ruled on the issue of when Debtor must pay the filing fee in its October 7 Order. The Court will therefore deny the motion and dismiss the case because Debtor has failed to pay the \$299.00 filing fee by the

October 21, 2009 deadline set by the October 7 Order.

Accordingly,

IT IS ORDERED that Debtor's "Application to Pay Filing Fees in Installments" (Docket # 20), is DENIED and this bankruptcy case is DISMISSED.

**Signed on October 27, 2009**

/s/ Thomas J. Tucker  
**Thomas J. Tucker**  
**United States Bankruptcy Judge**